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HOUSE BILL 395

**48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008**

INTRODUCED BY

Kathy A. McCoy

FOR THE WATER AND NATURAL RESOURCES COMMITTEE

AN ACT

RELATING TO WATER; AMENDING A SECTION OF THE WATER PROJECT  
FINANCE ACT TO PROVIDE FOR A REPRESENTATIVE OF MUTUAL DOMESTIC  
WATER CONSUMERS ASSOCIATIONS ON THE WATER TRUST BOARD.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 72-4A-4 NMSA 1978 (being Laws 2001,  
Chapter 164, Section 4, as amended) is amended to read:

"72-4A-4. WATER TRUST BOARD CREATED.--

A. The "water trust board" is created. The board  
is composed of the following [~~sixteen~~] seventeen members:

(1) the state engineer or the state engineer's  
designee;

(2) the secretary of finance and  
administration or the secretary's designee;

(3) the chief executive [~~director~~] officer of

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1 the New Mexico finance authority or the [~~executive director's~~  
2 officer's designee;

3 (4) the secretary of environment or the  
4 secretary's designee;

5 (5) the secretary of energy, minerals and  
6 natural resources or the secretary's designee;

7 (6) the director of the department of game and  
8 fish or the director's designee;

9 (7) the director of the New Mexico department  
10 of agriculture or the director's designee;

11 (8) the executive director of the New Mexico  
12 municipal league or the executive director's designee;

13 (9) the executive director of the New Mexico  
14 association of counties or the executive director's designee;

15 (10) [~~five~~] six public members appointed by  
16 the governor and confirmed by the senate and who represent:

17 (a) the environmental community;

18 (b) an irrigation or conservancy  
19 district that uses surface water;

20 (c) an irrigation or conservancy  
21 district that uses ground water;

22 (d) the New Mexico acequia [~~water users;~~  
23 ~~and~~] association;

24 (e) soil and water conservation  
25 districts; and

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(f) mutual domestic water consumers

associations;

(11) one public member appointed by the Indian affairs commission; and

(12) the president of the Navajo Nation or the president's designee.

B. The chair of the board shall be elected by a quorum of the board members. The board shall meet at the call of the chair or whenever three members submit a request in writing to the chair, but not less often than once each calendar year. A majority of members constitutes a quorum for the transaction of business. The affirmative vote of at least a majority of a quorum present shall be necessary for an action to be taken by the board.

C. Each public member of the board appointed by the governor shall be appointed to a four-year term. ~~[To provide for staggered terms, two of the initially governor-appointed public members shall be appointed for terms of two years and three members for terms of four years. Thereafter]~~ All governor-appointed members shall be appointed for four-year staggered terms. Vacancies shall be filled by appointment by the governor for the remainder of the unexpired term.

D. Public members of the board shall be reimbursed for attending meetings of the board as provided for nonsalaried public officers in the Per Diem and Mileage Act and shall

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1 receive no other compensation, perquisite or allowance.

2 E. Public members of the board are appointed public  
3 officials of the state while carrying out their duties and  
4 activities under the Water Project Finance Act."

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